

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

WSOU INVESTMENTS, LLC D/B/A
BRAZOS LICENSING AND
DEVELOPMENT,

Plaintiff,

v.

CISCO SYSTEMS, INC.,

Defendant.

Case No. 6:21-CV-00128-ADA

JURY TRIAL DEMANDED

**DECLARATION OF BRIAN A. ROSENTHAL IN SUPPORT OF DEFENDANT'S
OPENING CLAIM CONSTRUCTION BRIEF REGARDING U.S. PATENT NO.S
7,443,859; 8,191,106; 8,989,216; AND 9,357,014**

I, Brian A. Rosenthal, declare as follows:

1. I am an attorney permitted to practice law before this Court *pro hac vice* and am licensed to practice law in New York and the District of Columbia. I am a partner with the law firm of Gibson, Dunn & Crutcher LLP and counsel of record for Defendant Cisco Systems, Inc. in the above-captioned action. I have personal knowledge and/or am directly informed of the matters stated below and, if called, would testify to them under oath.

2. Attached hereto as **Exhibit 1** is a true and correct copy of WSOU's Preliminary Infringement Contentions, served on June 23, 2021, bearing bates number CISCO-WSOU-CC-00000001.

3. Attached hereto as **Exhibit 2** is a true and correct copy of the 3rd Generation Partnership ("3GPP") Technical Specification 23.060 v. 4.2.0, General Packet Radio Service (GPRS); Service description; Stage 2 (Release 4), dated in 2001, bearing bates number CISCO-WSOU-CC-00000002.

4. Attached hereto as **Exhibit 3** is a true and correct copy of the 3rd Generation Partnership ("3GPP") Technical Specification 24.008 v. 4.4.0, General Packet Radio Service (GPRS); GPRS Tunnelling Protocol (GTP) across the Gn and Gp Interface (Release 4), dated in 2001, bearing bates number CISCO-WSOU-CC-00000004.

5. Attached hereto as **Exhibit 4** is a true and correct copy of the 3rd Generation Partnership ("3GPP") Technical Specification 29.060 v. 4.2.0, Mobile radio interface layer 3 specification; Core Network Protocols - Stage 3 (Release 4), dated in 2001.

6. Attached hereto as **Exhibit 5** is a true and correct copy of the file history of U.S. Patent No. 7,443,859. This was retrieved from the United States Patent Office's website (<https://portal.uspto.gov/pair/PublicPair>) on February 10, 2021.

7. Attached hereto as **Exhibit 6** is a true and correct copy of RFC 1918 “Address Allocations for Private Internets,” published February 1996, bearing bates number CISCO-WSOU-CC-00000006 and produced on September 22, 2021.

8. Attached hereto as **Exhibit 7** is a true and correct copy of RFC 3022 “Traditional IP Network Address Translator (Traditional NAT),” published January 2001, bearing bates number CISCO-WSOU-CC-00000003 and produced on September 22, 2021.

9. Attached hereto as **Exhibit 8** is a true and correct copy of WSOU’s Identification of Claim Terms for Construction, served on September 1, 2021.

10. Attached hereto as **Exhibit 9** is a true and correct copy of Cisco Networking Academy “Lab – Researching Converged Network Services (Instructor Version),” bearing bates number WSOU-CISCO001853 and produced on September 22, 2021.

11. Attached hereto as **Exhibit 10** is a true and correct copy of RFC 3588 “Diameter Base Protocol,” published September 2003, bearing bates number CISCO-WSOU-CC-00000011 and produced on September 22, 2021.

12. Attached hereto as **Exhibit 11** is a true and correct copy of the July 15, 2014 applicant’s argument, from the file history of U.S. Patent No. 8,989,216. This was retrieved from the United States Patent Office’s website (<https://portal.uspto.gov/pair/PublicPair>) on February 10, 2021.

13. Attached hereto as **Exhibit 12** is a true and correct copy of U.S. Patent No. 7,304,563, retrieved from Google Patents (<https://patents.google.com/>) on October 5, 2021.

14. Attached hereto as **Exhibit 13** is a true and correct copy of U.S. Patent No. 7,872,973, retrieved from Google Patents (<https://patents.google.com/>) on October 5, 2021.

15. Attached hereto as **Exhibit 14** is a true and correct copy of email correspondence

from WSOU to Cisco dated September 29, 2021.

16. Attached hereto as **Exhibit 15** is a true and correct of “Guide to OSI and TCP/IP Models,” authored by Mohammed M. Alani, bearing bates number WSOU-CC-00000010 and produced on September 22, 2021.

17. Attached hereto as **Exhibit 16** is a true and correct copy of the Amazon Web Services (“AWS”) Lambda website, bearing bates number WSOU-CISCO003161-3169 and produced on September 22, 2021.

15. I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 6, 2021

/s/ Brian A. Rosenthal
Brian A. Rosenthal